

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

JUDGMENT IN A CIVIL CASE

David Timothy Donovan

Plaintiff

vs.

CASE NUMBER: 1:12-cv-1827 (NAM/DEP)

Commissioner of Social Security

Defendant

Decision by Court. This action came to a hearing before the Court. The issues have been heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED

That the Report and Recommendation issued by Magistrate Judge David E. Peebles is accepted and the defendant's motion to dismiss is granted.

All of the above pursuant to the order of the Honorable Judge Norman A. Mordue, dated the 20th day of December, 2013.

DATED: December 20, 2013


Clerk of Court

By: s/ Nicole Killius
Deputy Clerk